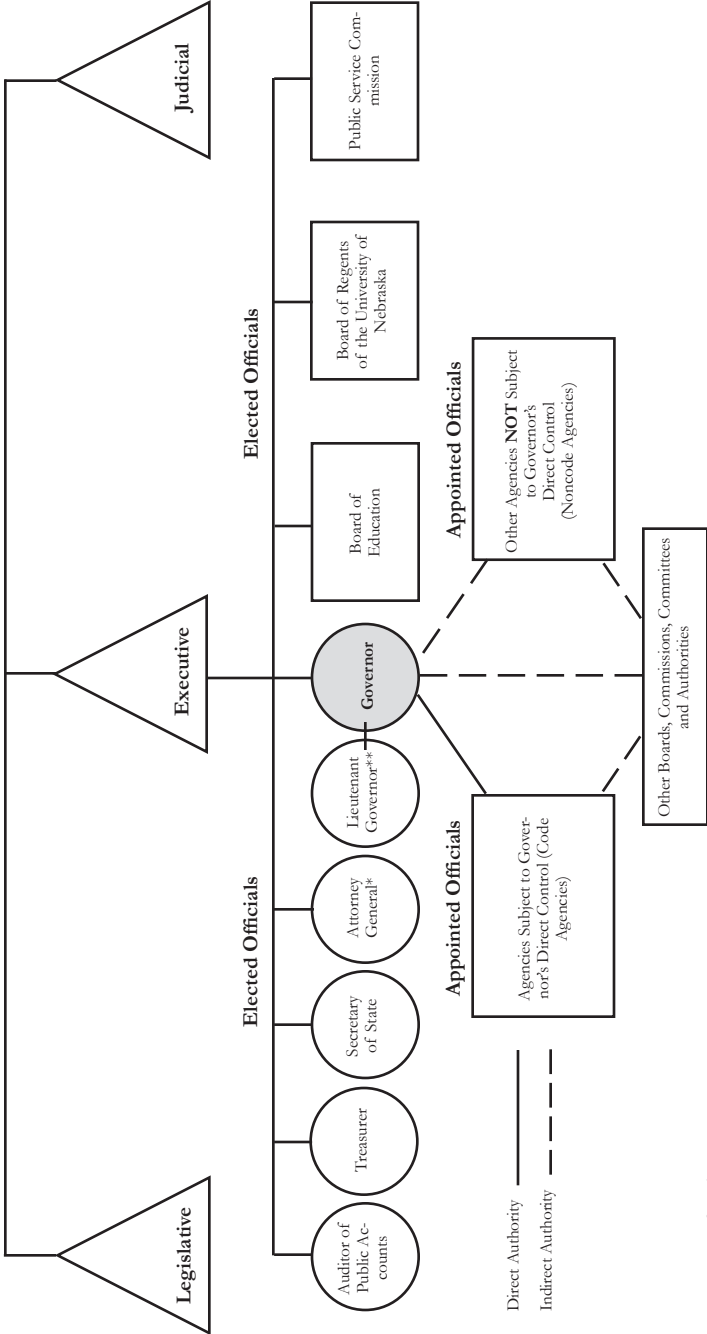




STATE EXECUTIVE BRANCH

Nebraska State Government Organization — Executive Branch¹



* Department of Justice.

** Lieutenant governor selected by the governor as part of the election process

¹ Source: Governor's Policy Research Office.

STATE EXECUTIVE BRANCH¹

The executive branch of Nebraska's state government has six officers, several departments and other governmental agencies and bodies.

Executive officers authorized by the state constitution, Article IV, Section 1, are the governor, lieutenant governor, secretary of state, auditor of public accounts, treasurer and attorney general. Other elected executive officials are the members of the State Board of Education, the Board of Regents of the University of Nebraska, and the Public Service Commission.

Executive officers are elected by popular vote to four-year terms, except the lieutenant governor, who is appointed by the governor as part of the election process. The governor and treasurer may serve only two consecutive terms; other executive officers may serve an unlimited number of terms.

The executive branch has departments, agencies, boards, commissions, committees, councils, authorities and other governmental bodies. Some were established in the state constitution, others were established by statute, and others were created by executive order of the governor.

The full-fledged departments and agencies of state government are either code agencies or noncode agencies. Code agencies are subject to the governor's direct control. The directors of code agencies serve at the pleasure of the governor and are directly accountable to him or her. Noncode agencies are not subject to the governor's direct control. The offices of the lieutenant governor, secretary of state, auditor of public accounts, attorney general and treasurer are considered to be noncode agencies. Both code and noncode agencies are full-fledged agencies, meaning they have their own staff, they are affiliated with no other agency, and they appear as a distinct item in the state budget.

Editor's note: The following descriptions of state government departments, agencies, offices and other entities were compiled with help from the Governor's Policy Research Office, the Legislature's Office of the Revisor of Statutes, the Legislative Fiscal Office, and the agencies and offices themselves. All statutory references in this section indicate the location in the Nebraska Constitution or the Revised Statutes of Nebraska where each governmental body has been established.

¹ Source: Governor's Policy Research Office.

ELECTED EXECUTIVE OFFICERS

Governor

Offices: State Capitol, Second Floor N.E., P.O. Box 94848, Lincoln, NE 68509-4848, phone (402) 471-2244; Governor's Western Office, 4500 Ave. I, P.O. Box 1500, Scottsbluff, NE 69363-1500, phone (308) 632-1370, Web site — www.gov.state.ne.us/

Governor: David Heineman

Statutory References: Nebraska Constitution, Article IV, Section 1; and 84-101

Salary: \$105,000

Publications: Governor's message printed in pamphlet form when delivered and in the Legislative Journal; budget message printed in pamphlet form when delivered and in the Legislative Journal

According to Nebraska's constitution, the supreme executive power of the state is vested in the governor. It is the governor's duty "to take care that the laws be faithfully executed and the affairs of the state efficiently and economically administered."

The governor is the chief budget officer and must present the Legislature with a complete budget for all expenditures used in running the state's regular business. The Legislature may, by a three-fifths majority vote, appropriate more than the governor recommends for any given purpose.

By law, the governor also must:

- give information by message to the Legislature
- give accounts of all money received and spent
- appoint certain officers as required by the constitution and statutes and fill

vacancies in state offices

- serve as commander-in-chief of the national and state guards
- sign or veto bills passed by the Legislature
- call elections to fill vacancies for members of the U.S. Congress
- certify notaries
- issue requisitions for the return of accused persons to Nebraska and other states

and countries

- enforce criminal laws

The governor is the chairperson of the Board of State Canvassers and the Board of Pardons. The governor is a member of the State Records Board, Nebraska Capitol Commission, Education Commission of the States, State Board of Health, Interstate Oil and Gas Compact Commission, Nebraska Hall of Fame Commission, Nebraska Commission on Law Enforcement and Criminal Justice and other groups as provided by law.

When Nebraska was a territory, the U.S. president appointed the governor to a four-year term. The territorial governor received a \$2,500 salary.

Nebraska's first state constitution, adopted in 1866, called for the people to elect a governor to a two-year term. The governor's duties were prescribed by an act approved on June 24, 1867.

In 1962, voters approved a constitutional amendment providing that the governor

would be elected to a four-year term beginning in 1966. A 1966 general election vote provided that the governor could serve only two consecutive terms. To run for governor, a person must be a resident and citizen of Nebraska for at least five years before the election and be at least 30 years old.

The governor's salary was \$1,000 until raised by the constitution of 1875 to \$2,500. The constitution of 1920 fixed the governor's salary at \$7,500 until otherwise provided by law. The 1933 Legislature reduced the salaries of the governor and certain constitutional officers, but the Nebraska Supreme Court declared the act unconstitutional (129 Neb. 669-699). In 1947, the Legislature increased the governor's salary to \$10,000, and the 1951 Legislature raised the salary to \$11,000 effective in 1957. The delayed increase was because Article IV, Section 25 of the state constitution provided that no constitutional officer salary could be changed more than once in eight years. In 1956, a general election vote repealed this salary restriction. Lawmakers boosted the salary to \$14,000 in 1963. Since then, senators have gradually increased the salary to its current level of \$105,000.

From 1889 to 1899, the state paid the rent on a residence for the governor, except during the incumbency of Gov. Lorenzo Crounse (1893-95), who refused to accept the additional payments. In 1899, the Legislature spent \$25,000 to buy and furnish an executive mansion. Of this sum, \$21,385.30 was spent. The 1945 Legislature approved a new Georgian Colonial-style mansion to be built at a cost of \$200,000 and completed in early 1958.

By 1997, 40 years of use had taken a toll on the mansion. First Lady Diane Nelson led a fund-raising effort to restore the governor's mansion to its original condition. After renovations were completed, the mansion was reopened to the public in August 1998.

Gov. Mike Johanns and First Lady Stephanie Johanns launched a landscaping renewal project for the governor's residence grounds in November 2001. Private donations paid for most of the project. The state allocated money to make the mansion wheelchair accessible and to comply with the Americans with Disabilities Act.

Nebraska Governor, 2009



DAVID HEINEMAN

Home Address: 2427 E. 10th St., Fremont, NE 68025

Governor's Residence Address: Governor's Residence, 1425 H St., Lincoln, NE 68508

Office Address: State Capitol, Second Floor N.E., P.O. Box 94848, Lincoln, NE 68509-4848, phone (402) 471-2244

Appointed Governor: Jan. 21, 2005; elected 2006

Political Party: Republican

Biography: Born May 12, 1948 in Falls City. Graduate of Wahoo High School, 1966; United States Military Academy at West Point (B.S.), 1970. Married Sally Ganem, May 7, 1977; one child: Sam. Military service: U.S. Army, 1970-1975; graduate of Army Airborne and Ranger Schools. Former: Lieutenant Governor, 2001-05; State Treasurer, 1995-2001; office manager for Congressman Doug Bereuter's Fremont office; chief administrative aide to Congressman Hal Daub; executive director, Nebraska Republican Party.

Member: Fremont Noon Optimists and American Legion Post 20; chairman, National Governors Association's

Economic Development Committee; chairman, Governors' Ethanol Coalition; lead Governor for the Western Governors' Association (WGA) on Farm Bill Reauthorization; Governors' Biotechnology Partnership. **Former member:** vice president, National Association of Unclaimed Property Administrators, 2001; Nebraska Investment Council, 1995-2001; National Association of State Treasurers (president, 2000); board of directors, National Electronic Commerce Coordinating Council, 1998-2000; Fremont City Council, 1990-94. **Honors and awards:** Jesse Unruh Award, 2001.

Nebraska Governors, 1854-2009

Territorial

Francis Burt.....	1854 ¹	J. Sterling Morton.....	1858-1859 ⁶
Thomas B. Cuming.....	1854-1855 ²		1861 ⁸
	1857-1858 ⁴	Samuel W. Black.....	1859-1861 ⁷
Mark W. Izard.....	1855-1857 ³	Algernon S. Paddock.....	1861 ⁹
William A. Richardson.....	1858 ⁵	Alvin Saunders.....	1861-1867

State

David Butler (R) ¹⁰	1867-1871 ¹¹	Samuel R. McKelvie (R).....	1919-1923
William H. James (R).....	1871-1873 ¹²	Charles W. Bryan (D).....	1923-1925
Robert W. Furnas (R).....	1873-1875		1931-1935
Silas Garber (R).....	1875-1879	Adam McMullen (R).....	1925-1929
Albinus Nance (R).....	1879-1883	Arthur J. Weaver (R).....	1929-1931
James W. Daves (R).....	1883-1887	Robert Leroy Cochran (D).....	1935-1941
John M. Thayer (R).....	1887-1891	Dwight Griswold (R).....	1941-1947
	1891-1892 ¹³	Val Peterson (R).....	1947-1953
James E. Boyd (D).....	1891	Robert B. Crosby (R).....	1953-1955
	1892-1893 ¹⁴	Victor E. Anderson (R).....	1955-1959
Lorenzo Crounse (R).....	1893-1895	Ralph G. Brooks (D).....	1959-1960 ¹⁷
Silas A. Holcomb (F).....	1895-1899	Dwight W. Burney (R).....	1960-1961 ¹⁸
William A. Poynter (F).....	1899-1901	Frank B. Morrison (D).....	1961-1967
Charles H. Dietrich (R).....	1901 ¹⁵	Norbert T. Tiemann (R).....	1967-1971
Ezra P. Savage (R).....	1901-1903 ¹⁶	J. James Exon (D).....	1971-1979
John H. Mickey (R).....	1903-1907	Charles Thone (R).....	1979-1983
George L. Sheldon (R).....	1907-1909	J. Robert Kerrey (D).....	1983-1987
Ashton C. Shallenberger (D).....	1909-1911	Kay A. Orr (R).....	1987-1991
Chester H. Aldrich (R).....	1911-1913	E. Benjamin Nelson (D).....	1991-1999
John H. Morehead (D).....	1913-1917	Mike Johanns (R).....	1999-2005 ¹⁹
Keith Neville (D).....	1917-1919	David Heineman (R).....	2005 ²⁰

¹ Died Oct. 18, 1854.

² Acting governor upon the death of Gov. Burt.

³ Resigned Oct. 25, 1857.

⁴ Acting governor upon resignation of Gov. Izard.

⁵ Resigned Dec. 5, 1858.

⁶ Acting governor upon resignation of Gov. Richardson.

⁷ Resigned Feb. 24, 1861.

⁸ Acting governor upon resignation of Gov. Black.

⁹ Acting governor.

¹⁰ Political affiliation: R=Republican; D=Democrat; F=Fusion (composed of Populists and Democrats).

¹¹ Elected in 1866, but did not take office until after Nebraska became a state. Impeached.

¹² Acting governor until inauguration of Gov. Furnas.

¹³ In office 1887 to Jan. 15, 1891; May 5, 1891, to Feb. 8, 1892.

¹⁴ Election contested by Gov. John M. Thayer. Suit delayed final seating of Gov. Boyd. In office Jan. 15, 1891, to May 5, 1891; Feb. 8, 1892, to 1893.

¹⁵ In office from Jan. 3, 1901, to May 1, 1901. Resigned.

¹⁶ Acting governor upon resignation of Gov. Dietrich.

¹⁷ Died Sept. 9, 1960.

¹⁸ Acting governor from Sept. 9, 1960, to Jan. 5, 1961.

¹⁹ Resigned Jan. 21, 2005, to become the U.S. Secretary of Agriculture.

²⁰ Became governor upon resignation of Gov. Mike Johanns. Elected in 2006.

Governor's Policy Research Office

Office: Room 1319, State Capitol, P.O. Box 94601, Lincoln, NE 68509-4601, phone (402) 471-2414, fax (402) 471-2528

Director: Lauren L. Hill

The Governor's Policy Research Office is a division of the governor's office. The director is a cabinet level position and serves at the governor's pleasure.

Statutory Reference: 84-133

The Governor's Policy Research Office, created by the 1979 Legislature, replaced the Office of Planning and Programming, created in 1969. The office helps the governor develop and review state government policy. When needed, the office coordinates and directs multiagency programs or special programs not fitting any particular agency. The office enhances the governor's executive capability.

A small professional staff assist the governor to analyze policy options, promote executive branch cooperation and efficiency, review proposed rules and regulations and research state and national trends. The office monitors legislative bills, coordinates legislative activities of code agencies and coordinates the development and promotion of the governor's legislative agenda. The agency is organized on a functional basis. Advisors in assigned policy areas serve as liaisons for the governor with state and federal agencies, local political subdivisions, constituents and other public and private entities.

Lieutenant Governor

Office: Room 2315, State Capitol, P.O. Box 94863, Lincoln, NE 68509-4863, phone (402) 471-2256, e-mail address — rick.sheehy@nebraska.gov, Web site — <http://www.ltgov.ne.gov/>

Lieutenant Governor: Richard J. Sheehy

Statutory Reference: Nebraska Constitution, Article IV, Section 1

Salary: \$75,000

The Nebraska Constitution of 1875 made the first provision for a lieutenant governor. By law, the lieutenant governor:

- presides over the Legislature
- acts as governor when the governor is out of the state or incapacitated
- becomes governor in case of a vacancy or when the governor is permanently incapacitated

- performs duties assigned by the governor

Nebraska's lieutenant governor also serves as director of homeland security for the state, chairman of the Nebraska Information Technology Commission and chairman of the Governor's Homeland Security Policy Group. He also serves on the national Homeland Security Advisory Council.

Before 1971, the office of lieutenant governor was part-time except during the biennial legislative session. When the Legislature began meeting annually, the office became full-time.

In 1962, voters approved a constitutional amendment providing that the lieutenant governor would be elected to a four-year term beginning in 1966. Before then, lieutenant governors were elected to two-year terms. From 1974 until 2002, the governor and lieutenant governor, by constitutional amendment, secured nominations at the primary election in their respective parties, then ran in the general election on one ticket from the same political party. Beginning in 2002, gubernatorial candidates choose their nominee for lieutenant governor after winning their respective parties' primary elections.

Nebraska's constitution of 1875 provided that the lieutenant governor receive twice the compensation of a state senator. The lieutenant governor's salary advanced from \$6 per day during the session of the 1875 Legislature to \$7,500 per year in 1969. The lieutenant governor's salary was increased to \$25,000 per year in 1975, to \$32,000 in 1979, to \$40,000 in 1987, to \$47,000 in 1991, to \$60,000 in 2003 and to \$75,000 in 2006.

Nebraska Lieutenant Governor, 2009



RICHARD J. SHEEHY

Home Address: 1115 Oswego Ave., Hastings, NE 68901

Office Address: Room 2315, State Capitol, P.O. Box 94863, Lincoln, NE 68509-4863, phone (402) 471-2256

Appointed Lieutenant Governor: Jan. 24, 2005, elected in 2006.

Political Party: Republican

Biography: Born Oct. 3, 1959, in Hastings. Graduate of Hastings St. Cecilia High School; University of Nebraska-Lincoln; and Completed Paramedic Education at Central Community College. Married Connie Sheehy on Sept. 2, 1983; two children: Maggie and Joel. Former: Market general manager, Rural/Metro Ambulance **Member:** Anti-Terrorism Advisory Council; Board of Directors, Cornhusker Boy's State; Chair, Nebraska Infrastructure Protection Conference Executive Council; Director, Homeland Security; Chair, Governor's Homeland Security Policy Group; Board of Directors, Nebraska Health Information Initiative; Chair, Nebraska Information

Technology Commission; Chair, Nebraska Partners in Prevention; Board Member, Omaha Health Kids Alliance Board; Executive Committee, National Lieutenant Governor's Association; National Governor's Association Homeland Security Advisory Council **Former member:** Mayor, City of Hastings; Hastings City Council; FEMA Disaster Response Team; Nebraska Rural Health Association; Nebraska State Trauma Advisory Board.

Nebraska Lieutenant Governors, 1877-2009

Othman A. Abbott (R) ¹	1877-1879	Walter H. Jurgensen (D).....	1933-1938
Edmund C. Carns (R).....	1879-1883	Nate M. Parsons (D).....	1938-1939 ³
A. W. Agee (R).....	1883-1885	William E. Johnson (R)	1939-1943
H. H. Shedd (R).....	1885-1889	Roy W. Johnson (R).....	1943-1947
George D. Meiklejohn (R).....	1889-1891	Robert B. Crosby (R)	1947-1949
Thomas J. Majors (R).....	1891-1895	Charles J. Warner (R)	1949-1955 ⁴
Robert E. Moore (R)	1895-1897	Dwight W. Burney (R).....	1957-1965
James E. Harris (F).....	1897-1899	Philip C. Sorensen (D).....	1965-1967
E. A. Gilbert (F).....	1899-1901	John E. Everroad (R).....	1967-1971
Ezra P. Savage (R).....	1901-1903	Frank Marsh (R).....	1971-1975
Edmund G. McGilton (R).....	1903-1907	Gerald T. Whelan (D).....	1975-1979
M. R. Hopewell (R).....	1907-1911 ²	Roland A. Luedtke (R).....	1979-1983
Samuel R. McKelvie (R).....	1913-1915	Donald F. McGinley (D).....	1983-1987
James Pearson (D).....	1915-1917	William E. Nichol (R).....	1987-1991
Edgar Howard (D).....	1917-1919	Maxine B. Moul (D).....	1991-1993 ⁵
Pelham A. Barrows (R).....	1919-1923	Kim M. Robak (D).....	1993-1999 ⁶
Fred G. Johnson (R)	1923-1925	David I. Maurstad (R).....	1999-2001 ⁷
George A. Williams (R).....	1925-1931	David Heineman (R).....	2001 ⁸ -2005 ⁹
Theodore Metcalfe (R).....	1931-1933	Richard Sheehy (R).....	2005 ¹⁰ -

¹ Political affiliation: R=Republican; D=Democrat; F=Fusion (composed of Populists and Democrats).

² Died May 2, 1911.

³ Elected to fill unexpired term. In office Nov. 8, 1938, to Jan. 5, 1939.

⁴ Died Sept. 24, 1955.

⁵ Resigned.

⁶ Appointed to finish term of Maxine Moul, who resigned. Elected in 1994.

⁷ Resigned to become a regional director for the Federal Emergency Management Agency.⁷

⁸ Appointed to finish term of David I. Maurstad, who resigned.

⁹ Resigned.

¹⁰ Appointed Jan. 24, 2004, to finish term of David Heineman, who resigned. Elected in 2006.

Secretary of State

Office: Suite 2300, State Capitol, P.O. Box 94608, Lincoln, NE 68509-4608, phone (402) 471-2554, fax (402) 471-3237, e-mail address — receptionist@sos.ne.gov; Corporation Division, Room 1301, State Capitol, phone (402) 471-4079, fax (402) 471-3666, Web site — www.sos.state.ne.us

Secretary of State: John Gale

Statutory References: Nebraska Constitution, Article IV, Section 1; and 84-501

Salary: \$85,000

Publications: Nebraska Constitution, Canvassing Board Report, State Election Law Manual

The Office of the Secretary of State dates to 1854, when the first territorial secretary was appointed. In 1964, voters approved a constitutional amendment changing the term of the secretary of state from two years to four years beginning with the 1966 general election. The office's function as filing office and repository of official state records has remained unchanged since its inception. However, over time the office has acquired numerous other duties.

The secretary of state also serves in various capacities on numerous state boards and commissions. These include:

- chairperson, State Real Estate Commission
- chairperson, Nebraska Collection Agency Licensing Board
- chairperson, State Records Board
- secretary, State Board of Pardons
- secretary, State Board of Canvassers
- member, Nebraska Accountability and Disclosure Commission

The secretary of state also serves as the chief election officer, keeper of the Great Seal of the State of Nebraska and state protocol officer.

The election duties of the Office of the Secretary of State include accepting filings for statewide, legislative, judicial retention and certain district elections; accepting filings for statewide initiative and referendum petitions; interpreting election law; supervising the conduct of elections in the state; and tabulating the results of statewide, legislative, judicial retention and certain district elections for approval by the State Board of Canvassers.

Corporations, limited liability companies, limited partnerships and limited liability partnerships must file articles of incorporation or organization with the secretary of state before doing business in Nebraska. These business entities also are required to file amendments to those articles with the secretary of state. The secretary of state also collects the annual (for-profit) and biennial (nonprofit) corporate occupation tax and registers trademarks and trade names.

The office of the secretary of state also:

- affixes the great seal to and serves as repository for commissions, proclamations and executive orders issued by the governor
- receives and stores legislative bills that become law and distributes copies of the session laws of the Legislature
- serves as repository for numerous statutorily required filings of cities, counties,

state agencies and other political subdivisions

- serves as repository for the bonds and oaths of state elected and appointed officers

- licenses private detectives, truth and deception examiners and debt management agencies and administers laws in those areas

- accepts Uniform Commercial Code filings²

- administers the State Records Management Act³

- administers the collection agency licensing law with the Nebraska Collection Agency Licensing Board⁴

- issues commissions on approval from the governor for notaries public

Nebraska Territorial Secretaries and Secretaries of State, 1854-2009

Territorial

Thomas B. Cuming.....	1854-1858 ¹	J. Sterling Morton.....	1858-1861
John B. Motley.....	1858 ²	Algernon S. Paddock.....	1861-1867

State

Thomas P. Kennard (R) ³	1867-1871 ⁴	George C. Junkin (R).....	1907-1911
William H. James (R)	1871-1873	Addison Wait (R).....	1911-1915
John J. Gosper (R).....	1873-1875	Charles W. Pool (D).....	1915-1919
Bruno Tzschuck (R).....	1875-1879		1923-1927
S. J. Alexander (R)	1879-1883	Darius M. Amsberry (R)	1919-1923
Edward P. Roggen (R).....	1883-1887	Frank Marsh (R).....	1927-1933
Gilbert L. Laws (R)	1887-1889 ⁵		1941-1951 ⁷
Benjamin R. Cowdery (R).....	1889-1891 ⁶	Harry R. Swanson (D).....	1933-1941
John C. Allen (R)	1891-1895	James S. Pittenger (R)	1951-1953 ⁸
Joel A. Piper (R)	1895-1897	Frank Marsh (R).....	1953-1971
William F. Porter (F).....	1897-1901	Allen J. Beermann (R).....	1971-1995
George W. Marsh (R).....	1901-1905	Scott Moore (R).....	1995-2000
A. Galusha (R).....	1905-1907	John Gale, (R).....	2000 ⁹ -

¹ Died March 23, 1858.
² Acting secretary.
³ Political affiliation: R=Republican; D=Democrat; F=Fusion (composed of Populists and Democrats).
⁴ Term of office began Feb. 21, 1867.
⁵ Resigned Nov. 20, 1889, to fill unexpired term in Congress caused by the death of James Laird.
⁶ Appointed to fill vacancy.
⁷ Died Feb. 9, 1951.
⁸ Appointed Feb. 10, 1951, to fill vacancy.
⁹ Appointed Dec. 18, 2000, to fill vacancy.

² See Pages 427-428 for details on the Uniform Commercial Code Division.
³ See Pages 426-427 for details on the Records Management Division and the State Records Board.
⁴ See Page 426 for details on the Nebraska Collection Agency Licensing Board.

Nebraska Secretary of State, 2009



JOHN GALE

Home Address: 925 S. 51st St., Lincoln, NE 68510

Office Address: Suite 2300, State Capitol, P.O. Box 94608, Lincoln, NE 68509-4608, phone (402) 471-1572

Appointed Secretary of State: 2000; elected 2002, re-elected 2006

Political Party: Republican

Biography: Born Oct. 23, 1940. Graduate of Omaha North High School; Carleton College, Northfield, Minn. (B.A. in government and international relations), 1962; University of Chicago Law School (J.D.), 1965. Married Carol Gale, May 25, 1991; three children: David, Elaine and Steven; four grandchildren. Former: assistant U.S. attorney, Omaha and Lincoln, 1970-71; legislative assistant, U.S. Senator Roman Hruska, 1969-1970; minority counsel, Constitutional Rights Subcommittee, U.S. Senate Judiciary Committee, 1968-69; Northern Natural Gas Company Law Department, 1965-68.

Member: NebraskaLAND Foundation Board; Boy's State Nebraska board; Center for Civic Excellence in eDemocracy,

international board; U.S. Standards Board of U.S. Elections Assistance Commission; National Association of Secretaries of State. **Former member:** primary candidate, Nebraska third district congressional race, 2000; state steering committee, Gene Spence for Governor, 1994; state co-chairman, Dave Karnes for U.S. Senate, 1978-88; state steering committee, Chuck Hagel for U.S. Senate, 1985-1996; chairman, Nebraska State Republican Party, 1986; chairman, Nebraska State Advisory Committee to U.S. Civil Rights Commission, 1972-75; general counsel, Nebraska Republican Party, 1975. North Platte (1972-2000): Chamber of Commerce (past chairman of government affairs committee); United Way; TriTrials Boy Scouts, AYSO Soccer; Great Plains Regional Medical Center; president, Sunrise Rotary; president, Lincoln County Bar Association; president, 11th Judicial District Bar Association; lieutenant governor, Rotary District 5630.

Nebraska Collection Agency Licensing Board

Office: Licensing Division, Office of the Secretary of State, Room 1305, State Capitol, P.O. Box 94608, Lincoln, NE 68509, phone (402) 471-8606

Licensing Assistant: Allyn Leithoff

Statutory Reference: 45-603

The Collection Agency Licensing Board reviews applications for collection agency licenses. Any person, firm, corporation or association conducting business as a collection agency must be licensed and obtain a bond.

The secretary of state is the chairperson of the board. The governor appoints four members. Three members, one from each of the state’s congressional districts, are licensees engaged in the collection business. The remaining member is appointed at large as a representative of the public and is not a licensee. The terms of office are four years. Members are reimbursed for their actual expenses. All expenses, salaries and expenditures are paid out of the Nebraska Collection Agency Cash Fund.

The board is responsible for the administration of the Collection Agency Licensing Act. The board investigates the qualifications of each applicant and, based on the investigation, may issue or refuse to issue a license.

Member	Represents	Term Expires
Sheila Cain, Lincoln	1st District	Sept. 9, 2011
John Gale, Lincoln (Chairman).....	Secretary of State	Nonexpiring
Greg Hogenmiller, Omaha.....	2nd District.....	Sept. 9, 2009
Micheal Morledge, Grand Island.....	3rd District	Sept. 9, 2009
Stephen Lindgren, Lincoln.....	Public At Large.....	Nov. 1, 2011

Records Management Division

Office: 440 S. Eighth St., Suite 210, P.O. Box 94921, Lincoln, NE 68508-2294, phone (402) 471-2559

Director: William P. Ptacek

The Records Management Act designates the secretary of state as the state records administrator. The act requires the administrator to establish and oversee a records management program for state and local government agencies of the legislative, executive and judicial branches to efficiently and economically manage the creation, use and disposal of records.

The Records Management Division serves as a service bureau and consultant for state agencies and as a consultant to local agencies in areas related to records management. Record retention and disposition schedules are developed for all government entities. These schedules, when approved, become the official authorization for disposition of agency records.

Services provided to state agencies include the state records center, a low-cost alternative for storage of paper records; source document microfilming for preservation of permanent records and high-speed retrieval of records from large document databases; and computer output microfilming to store computer data on microfiche rather than on paper. The record analysis section provides assistance for developing retention schedules,

conducts microfilm and paper record system feasibility studies, and offers a wide range of consultant services to enhance the flow of records within an agency.

State Records Board

Contact Person: Cathy Danahy, Records Management Division, 440 S. Eighth St., Suite 210, P.O. Box 94921, Lincoln, NE 68508-2294, phone (402) 471-2745

Statutory Reference: 84-1204

The Records Management Act establishes a State Records Board that advises the state records administrator on implementation of this act. The board reviews record retention and disposition schedules before approval by the administrator and approves the rules and regulations of the administrator before they are adopted. In addition, the State Records Board administers the state electronic information network, which provides state government information to the public over the Internet, and regulates and approves rates charged for electronic information.

The State Records Board includes the governor, attorney general, state treasurer, auditor of public accounts, director of administrative services and state records administrator, or their designated representatives. The board also includes six members appointed by the governor, one from each of the following constituencies: banking, insurance, law, libraries, news media and the general public.

Member	Represents	Term Expires
Julie Beno, Lincoln.....	Libraries.....	July 16, 2011
John P. Curry, Lincoln.....	Insurance.....	July 16, 2010
Mike Edgecombe, Hebron.....	News Media.....	July 16, 2010
Thomas Freimuth, Omaha.....	Law.....	July 16, 2009
Timothy Loewenstein, Kearney.....	General Public.....	July 16, 2009
Ryne Seaman, Seward.....	Banking Industry.....	July 16, 2011
Jon Bruning, Lincoln.....	Attorney General.....	Nonexpiring
John Gale, Lincoln.....	State Records Administrator (Secretary of State).....	Nonexpiring
Gov. David Heineman, Lincoln.....	Governor.....	Nonexpiring
Carlos Castillo, Lincoln.....	Director of Administrative Services.....	Nonexpiring
Shane Osborn, Lincoln.....	State Treasurer.....	Nonexpiring
Mike Foley, Lincoln.....	Auditor of Public Accounts.....	Nonexpiring

Uniform Commercial Code Division

Office: Room 1301, State Capitol, P.O. Box 95104, Lincoln, NE 68509-5104, phone (402) 471-4080, fax (402) 471-4429

Deputy Secretary for Business Services: Judy Jobman

The Uniform Commercial Code Division files and retrieves security interest information on the following types of collateral: business inventory, equipment, accounts receivable, general intangibles, agriculture-related filings, consumer goods filings, statutory liens, state and federal tax liens and utility filings.

The division, in compliance with Section 1324 of the Federal Food Security Act of 1985, files Effective Financing Statement documents. EFS documents provide a notice to buyers of farm products of the existence of a UCC lien on specific commodities

produced by farmers. The division publishes a quarterly master lien listing of all EFS information, which registrants may purchase for a fee.

The UCC database contains approximately 335,000 active records, with approximately 275,000 associated filings, and images of those documents. Database searches and copies of the images may be requested through the division, county clerks' offices and Nebraska.gov.

State Treasurer

Office: Room 2005, State Capitol, P.O. Box 94788, Lincoln, NE 68509-4788, phone (402) 471-2455, Web site — www.treasurer.state.ne.us

State Treasurer: Shane Osborn

Statutory References: Nebraska Constitution, Article IV, Section 1; and 84-601

Salary: \$85,000

Publications: Biennial report; monthly statement

Duties of the state treasurer include:

- receiving and keeping money of the state not expressly required to be received and kept by some other state official
- disbursing public money upon warrants drawn upon the state treasury according to law, and not otherwise
- keeping a true and comprehensive account of money received and disbursed
- keeping a just account with each fund, and each head of appropriation made by law, and the warrants drawn against them
- reporting to the Legislature within 10 days after the beginning of each regular session a detailed statement of the condition of the state treasury and its operations for the preceding fiscal year
- giving written information to the Legislature, whenever required, upon any subject connected with the treasury or duties of the treasurer's office
- recording purchases made by the state investment officer
- safekeeping securities purchased for the trust funds and state agencies
- accounting and paying for money received by him or her as treasurer to the successor in office, and delivery of books and records of the office to him or her

The state treasurer is required to deposit, and at all times keep on deposit for safekeeping, the money in his or her hands belonging to the several current funds in the state treasury in state or national banks or in banks doing business in Nebraska of approved standing and responsibility.

The state treasurer administers the Uniform Disposition of Unclaimed Property Act. Under the act, unclaimed funds such as inactive bank accounts, uncashed checks, stock shares, insurance proceeds and utility deposits are remitted to the state treasurer's office. The state treasurer then tries to locate the owners and return the funds owed to them. Funds that are not returned to claimants are deposited in the Permanent School Fund, and the interest from this fund is distributed to Nebraska school districts.

The state treasurer is responsible for administering the Nebraska College Savings Program. The program began operations on Jan. 1, 2001.

The state of Nebraska has implemented a statewide system for receipt, distribution and disbursement of child support. The state treasurer is responsible for receipting and disbursing child support payments. The Health and Human Services System is responsible for providing the state treasurer with distribution instructions for the disbursement of child support.

The state treasurer is a member of the Board of State Canvassers, the State Investment Council, the Quality Jobs Act Board and the State Records Board.

By the Organic Act of 1854, the governor and secretary of Nebraska Territory

expended the funds appropriated by the U.S. government. An act of the territorial assembly, approved on March 16, 1855, created the treasurer's office. The state constitutions of 1866 and 1875 provided for this office.

In 1964, voters approved a constitutional amendment changing the term of the state treasurer from two years to four years starting with the 1966 general election. No state treasurer may serve more than two consecutive terms.

Nebraska State Treasurers, 1855-2009

Territorial

Benjamin P. Rankin.....	1855 ¹	Augustus Kountze.....	1861-1867
William W. Wyman.....	1855-1861		

State

Augustus Kountze (R) ²	1867-1869 ³	Walter H. Jensen (D).....	1937-1939
James Sweet (R).....	1869-1871	John Havekost (D).....	1939-1941 ⁷
Henry A. Koenig (R)	1871-1875	L. B. Johnson (R).....	1941-1943
J. C. McBride (R)	1875-1879	Carl G. Swanson (R)	1943-1945 ⁸
George M. Bartlett (R)	1879-1883	Edward Gillette (R).....	1946-1951 ⁹
Phelps D. Sturdevant (F).....	1883-1885	Frank B. Heintze (R).....	1951-1955
Charles H. Willard (R)	1885-1889	Ralph W. Hill (R)	1955-1958 ¹⁰
John E. Hill (R).....	1889-1893	Bertha I. Hill (R).....	1958-1959 ¹¹
Joseph S. Bartley (R)	1893-1897	Richard R. Larsen (D)	1959-1961
John B. Meserve (F).....	1897-1901	Clarence L.E. Swanson (R).....	1961-1964 ¹²
William Stuefer (R).....	1901-1903	P. Merle Humphries (R)	1964-1965 ¹³
Peter Mortensen (R)	1903-1907	Fred Sorensen (D).....	1965-1967
L. G. Brian (R)	1907-1911	Wayne R. Swanson (R)	1967-1975
Walter A. George (R).....	1911-1915	Frank Marsh (R)	1975-1981 ¹⁴
George E. Hall (D)	1915-1919		1987-1991
	1933-1936 ⁴	Kay A. Orr (R).....	1981-1987 ¹⁵
Daniel B. Cropsey (R).....	1919-1923	Dawn E. Rockey (D)	1991-1995
Charles D. Robinson (R)	1923-1927	David Heineman (R).....	1995-2001
W. M. Stebbins (R)	1927-1931	Lorelee Hunt Byrd (R)	2001-2004 ¹⁶
Truman W. Bass (R).....	1931-1933	Ron Ross (R).....	2004 ¹⁷ -2006
	1939 ⁶	Shane Osborn (R)	2006-
H. J. Murray (D)	1936-1937 ⁵		

¹ Appointed by governor to serve until 1855 general election.

² Political affiliation: R=Republican; D=Democrat; F=Fusion. Sturdevant represented a fusion of Anti-Monopolists and Democrats; Meserve represented a fusion of Populists and Democrats.

³ Term of office began Feb. 21, 1867.

⁴ Died Dec. 21, 1936.

⁵ In office Dec. 21, 1936, to Jan. 7, 1937.

⁶ Died Aug. 21, 1939.

⁷ In office Aug. 26, 1939, to 1941.

⁸ In office 1943 to Dec. 31, 1945.

⁹ Appointed to fill vacancy Jan. 1, 1946. Elected in November 1946.

¹⁰ Died July 13, 1958.

¹¹ Appointed to fill vacancy July 1958.

¹² Died April 5, 1964.

¹³ Appointed to fill vacancy April 10, 1964.

¹⁴ Resigned June 1981.

¹⁵ Appointed June 15, 1981, to complete term of Frank Marsh, who resigned; elected Nov. 2, 1982.

¹⁶ Appointed Oct. 1, 2001, to complete term of David Heineman, who resigned; elected Nov. 5, 2002. Resigned Jan. 6, 2004.

¹⁷ Appointed Jan. 6, 2004, to complete term of Lorelee Hunt Byrd, who resigned.

Nebraska State Treasurer, 2009



SHANE OSBORN

Office Address: Room 2005, State Capitol, P.O. Box 94788, Lincoln, NE 68509-4788, phone (402) 471-2455, e-mail address — shaneosborn@treasurer.org

Elected State Treasurer: 2006

Political Party: Republican

Biography: Born June 21, 1974 in Loomis, South Dakota. Raised in Norfolk, Nebraska. Graduate of Norfolk High School; University of Nebraska (B.S. in Mathematics and Statistics) in 1996. Married to Teri; three children: Avery, Isabella, and Addison. Former: Navy Lieutenant and Aviator, “World Watchers” Fleet Air Reconnaissance Squadron One. **Member:** American Ex Prisoners of War; National Association of State Treasurers; Nebraska Alumni Association; Veterans of Foreign Wars; American Legion; Distinguished Flying Cross Society; Disabled American Veterans. **Honors and awards:** Nebraska-land Trailblazer Award, 2003; Recipient of the Distinguished Flying Cross for heroism and extraordinary achievement in flight, 2001; Daughters of the American Revolution Medal of Honor; University of Nebraska Alumni Achievement Award, 1996.

Auditor of Public Accounts

Office: Room 2303, State Capitol, P.O. Box 98917, Lincoln, NE 68509-8917, phone (402) 471-2111, fax (402) 471-3301, Web site — www.auditors.state.ne.us

Auditor of Public Accounts: Mike Foley

Statutory References: Nebraska Constitution, Article IV, Section 1; and 84-301

Salary: \$85,000

The major duties of the auditor of public accounts are to:

- conduct audits of state agencies, officers, boards, bureaus and commissions
- conduct annual audits of certain political subdivisions and federal funds by

contract

- establish uniform accounting systems for county officers
- establish uniform budgeting for political subdivisions
- register Nebraska school, municipal and public bonds
- set audit standards for auditors conducting audits for state agencies and political

subdivisions

- conduct investigations of reports of alleged government waste, fraud and abuse

The auditor is elected to a four-year term and serves as a member of the Board of State Canvassers, State Records Board and Suggestion Award Board.

The office was created by the first territorial Legislature in 1855. The auditor was the general accountant and revenue officer of the territory. The duties have expanded and evolved over the decades as modern accounting theory has been implemented. In 1964, voters approved a constitutional amendment changing the term of the auditor from two years to four years beginning with the 1966 general election.

Nebraska Auditor of Public Accounts, 2009

MIKE FOLEY

Home Address: 6410 S. 41st St. Court, Lincoln, NE 68516

Office Address: Room 2303, State Capitol, P.O. Box 98917, Lincoln, NE 68509-8917, phone (402) 471-2111, fax (402) 471-3301, e-mail address — Mike.Foley@apa.ne.gov

Elected Auditor of Public Accounts: 2006

Political Party: Republican

Biography: Born April 5, 1954, in Rochester, N.Y.

Graduate of Bishop Kearney High School in Rochester, N.Y., 1972; State University of New York at Brockport (B.S.), 1976; Michigan State University (M.B.A.), 1978. Married Susan Seiker, Aug. 3, 1990; six children: Laura, Matthew, Marie, Elizabeth, Peter and Andrew. Registered appraiser. Former: state senator, (2000-2006); corporate planning analyst, Nebraska Public Power District; director of financial analysis, National Association of Regulatory Utility Commissioners, 1979-1997; consultant, Kirschner Association, 1978-79; summer positions with U.S. Congressman Michael Harrington, U.S. Department of Transportation and U.S. International Trade Commission; Advisory Neighborhood Commissioner, Washington, D.C., 1984. **Member:** St. Peter's Catholic Church; Legion of Mary.



Nebraska Auditors of Public Accounts, 1855-2009

Territorial

Charles B. Smith.....	1855-1858	Robert C. Jordan	1858-1861
Samuel L. Campbell ¹		William E. Harvey.....	1861-1865
William E. Moore.....	1858	John Gillespie.....	1865-1867

State

John Gillespie (R) ²	1867-1873 ³	William H. Smith (D)	1915-1919
Jefferson B. Weston (R)	1873-1879	George W. Marsh (R)	1919-1927
F.W. Liedtke (R)	1879-1880 ⁴		1931-1933
John Wallichs (R)	1880-1885 ⁵	L. B. Johnson (R)	1927-1931
H. A. Babcock (R)	1885-1889	William B. Price (D)	1933-1935 ⁶
Thomas H. Benton (R)	1889-1893	Fred C. Ayres (D)	1935-1937 ⁷
Eugene Moore (R)	1893-1897	William H. Price (D)	1937-1939
John F. Cornell (F)	1897-1901	Ray C. Johnson (R)	1939-1971
Charles Weston (R)	1901-1905	Ray A.C. Johnson (R)	1971-1991
Edward N. Searle Jr. (R)	1905-1909	John Breslow (D, R) ⁸	1991-1999
Silas R. Barton (R)	1909-1913	Kate Witek (R)	1999-2006
W.B. Howard (R)	1913-1915	Mike Foley (R)	2006-

¹ Appointed, but did not qualify.

² Political affiliation: R=Republican; D=Democrat; F=Fusion (composed of Populists and Democrats).

³ Term of office began Feb. 21, 1867.

⁴ In office from 1879 to Nov. 11, 1880.

⁵ In office from Nov. 12, 1880, to 1885.

⁶ Died Aug. 19, 1935.

⁷ In office from Aug. 20, 1935, to 1937.

⁸ After winning re-election as a Democrat, John Breslow switched to the Republican Party in 1994.

Attorney General

Department of Justice

Office: Room 2115, State Capitol, P.O. Box 98920, Lincoln, NE 68509-8920, phone (402) 471-2682, fax (402) 471-3297, TDD (402) 471-2682, toll-free consumer protection hotline (800) 727-6432, Web site — www.ago.state.ne.us

Attorney General: Jon Bruning

Statutory References: Nebraska Constitution, Article IV, Section 1; and 84-201

Salary: \$95,000

Publications: Annual report; briefs; opinions; law enforcement newsletter; *Consumer Protection Bulletin*

The attorney general is the state's chief law officer, with duties authorized by the state constitution, statutory enactments and the common law.

The attorney general has been a constitutional officer since 1875. A 1919 legislative act created the Department of Justice to be administered by the attorney general. This department has "general control and supervision of all actions and legal proceedings in which the State of Nebraska may be a party or be interested, and has charge and control of all legal business of all departments and bureaus of the state, or of any office thereof, which requires the services of attorney or counsel in order to protect interests of the state."

The attorney general has the same powers and prerogatives in each county as county attorneys do. Nearly 400 statutes direct the attorney general to perform duties. The attorney general:

- appears in court to defend actions and claims against the state
- consults with and advises county attorneys, upon their request, in criminal and public revenue matters
- writes opinions, without a fee, upon questions of law submitted to the office by the governor, by the head of any executive department, or by any state senator
- prosecutes or defends the state, at the request of the governor or the head of any executive department, in all actions and proceedings, civil or criminal, relating to matters of their departments
- ensures that various state funds receive the money the Legislature has appropriated to them and prosecutes the misuse of such funds
- prepares, when requested by the governor or other executive officers, proper drafts for contracts, forms or other writings for state use
- appears for the state and prosecutes and defends all actions and proceedings, civil or criminal, in the Supreme Court in which the state is interested or a party, and when requested by the governor
- appears for the state by request of the governor or the Legislature to prosecute or defend any action, or conduct any investigation, in which the state is interested or a party, before any court, officer, board, tribunal or commission
- administers the State Tort Claims Act and advises the State Claims Board
- advises and represents state agencies, boards, commissions and officials
- administers a Child Protection Division to assist county attorneys in the prepara-

tion of cases involving crimes against children

- investigates complaints of consumer fraud and antitrust activities
- files proceedings to test the constitutionality of any legislative act that in the attorney general's opinion is unconstitutional
- compels any state government agency charged with implementing a legislative act to implement the act if it fails or refuses to do so
- reviews records to determine whether they may be withheld from public inspection pursuant to public record statutes
- consults with the secretary of state to administer election laws
- enforces healthcare professional licensing provisions
- represents the state in criminal appeals and habeas corpus proceedings
- administers a drug and violent crime prosecution unit to assist local prosecutors
- represents the state in workers' compensation and eminent domain proceedings

The attorney general is a member of the Board of State Canvassers, Board of Pardons, State Records Board and Nebraska Commission on Law Enforcement and Criminal Justice.

In 1964, voters approved a constitutional amendment changing the term of the attorney general from two years to four years beginning with the 1966 general election.

The Department of Justice is organized into four main bureaus. The Civil Litigation Bureau includes the General Litigation and the Inmate Litigation sections. The Criminal Bureau includes the Criminal Appeals and Prosecution sections. The Legal Services Bureau includes the Legal Services and Department of Roads sections. The Public Protection Bureau includes the Consumer Protection division and the Agriculture, Environment and Natural Resources section.

Chief Deputy Attorney General: David Cookson

Chief of Staff: Holley Bolen

Office Manager: Dana Hoffman

Bureau Chief

Tom Stine	Civil Litigation
John Freudenberg.....	Criminal
Dale Comer.....	Legal Services
Lynne Fritz	Public Protection

Solicitor General

J. Kirk Brown

Nebraska Attorney General, 2009



JON BRUNING

Office Address: Room 2115, State Capitol, P.O. Box 98920, Lincoln, NE 68509-8920, phone (402) 471-2682

Elected Attorney General: 2002; re-elected 2006

Political Party: Republican

Biography: Born April 30, 1969, in Lincoln. Graduate of Lincoln Southeast High School, 1987; University of Nebraska-Lincoln (B.A. with high distinction), 1990; UNL College of Law (J.D. with distinction), 1994. Married Deonne Niemack, July 8, 1995; two children: Lauren Caroline and Jon Cumberland Jr. (Jack). Attorney. Admitted to practice: Nebraska Supreme Court, 1994; U.S. District Court, District of Nebraska, 1994; U.S. Court of Appeals, 8th Circuit, 1994; Iowa Supreme Court, 2000; U.S. Supreme Court, 2000. Former: Nebraska state senator, District 3. **Member:** Nebraska State Bar Association; class agent, University of Nebraska Foundation. **Former member:** executive editor, Nebraska Law Review; second vice president, UNL student government. **Honors and awards:** Robert G. Simmons Law Practice

Award; UNL honors program; finalist, UNL Outstanding Student Leader; Aspen Institute-Rodel Fellowship in Public Leadership.

Nebraska Attorneys General, 1867-2009

Champion S. Chase (R) ¹	1867-1869 ²	Willis E. Reed (D)	1915-1919
Seth Robinson (R)	1869-1871	Clarence A. Davis (R)	1919-1923
George H. Roberts (R)	1871-1873	Ora S. Spillman (R)	1923-1929
	1875-1879	C. A. Sorensen (R)	1929-1933
Joseph R. Webster (R)	1873-1875	Paul F. Good (D)	1933-1935
C. J. Dilworth (R)	1879-1883	William H. Wright (D)	1935-1937
Isaac Powers Jr. (R)	1883-1885	Richard C. Hunter (D)	1937-1939
William Leese (R)	1885-1891	Walter R. Johnson (R)	1939-1949
George H. Hastings (R)	1891-1895	James H. Anderson (R)	1949-1950 ³
Arthur S. Churchill (R)	1895-1897	Clarence S. Beck (R)	1950-1961 ⁵
Constantine J. Smyth (F)	1897-1901	Harold P. Caldwell (D)	1951 ⁶
Frank N. Prout (R)	1901-1905	Clarence A.H. Meyer (R)	1961-1975
Norris Brown (R)	1905-1907	Paul L. Douglas (R)	1975-1984 ³
William T. Thompson (R)	1907-1910 ³	Robert M. Spire (R)	1985-1991 ⁷
Arthur F. Mullen (D)	1910-1911 ⁴	Don Stenberg (R)	1991-2003
Grant G. Martin (R)	1911-1915	Jon Bruning (R)	2003-

¹ Political affiliation: R=Republican; D=Democrat; F=Fusion (composed of Populists and Democrats).

² Term began Feb. 21, 1867.

³ Resigned.

⁴ Appointed to fill vacancy. In office Oct. 31, 1910, to Jan. 5, 1911.

⁵ Appointed to fill vacancy March 1, 1950; elected in November 1950.

⁶ Elected for short term. In office about 31 hours.

⁷ Appointed to fill vacancy. Sworn in March 1, 1985; elected in 1986.